

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
JESUS DURAN,
Defendant.

Case No. [5:03-cr-20115-JF-2](#)(EJD)


**ORDER RE MOTION FOR
REDUCTION OF SENTENCE**

Re: Dkt. No. 89

On June 3, 2022, Petitioner filed a motion for reduction and or modification of sentence pursuant to 18 U.S.C. § 3582(c)(2). The Court previously ordered that Petitioner's sentence be reduced from 87 months to 70 months. Dkt. No. 89. Petitioner seems to argue that the Bureau of Prisons did not credit him with the correct number of months when enforcing the Court's order. However, the Court is unclear what relief Petitioner seeks—his motion indicates that he is set to be released on February 7, 2023, and the Bureau of Prisons' website reflects this same date. It is unclear how the months identified by Petitioner relate to his release date. Moreover, the Court likely lacks the authority to help Petitioner. *See United States v. Wilson*, 503 U.S. 329, 335 (1992) ("After a district court sentences a federal offender, the Attorney General, through the [Bureau of Prisons], has the responsibility for administering the sentence." (citing 18 U.S.C. § 3621(a) ("A person who has been sentenced to a term of imprisonment . . . shall be committed to the custody of the Bureau of Prisons until the expiration of the term imposed.")). Accordingly, the Court **DENIES** Petitioner's motion.

IT IS SO ORDERED.

Dated: June 7, 2022


EDWARD J. DAVILA
United States District Judge

Case No.: [5:03-cr-20115-JF-1](#)
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